JOHN KELLY'S REPLY.

An Elaborate Answer to Mayor Havemeyer.

FACTS, FIGURES AND FRAUDS.

The Mayor's Charges Declared Malicious and False,

THE LAW AND THE TRUTH.

Explanation of the Irish Birth Question.

EX-TAMMANY MAGNATES AND KELLY.

Reminiscences of Morrissey, Croker, Connolly and Watson.

The following is the reply of Mr. Kelly to the charges of Mayor Havemeyer. It is, as indicated in the HERALD yesterday, a clear and almost bald narration of facts and figures, with very little ac-companying comment. The latter part of the letter, which deals with the personal history of well known politicians in a few crisp sentences, will be read with interest by the general reader. Mr. Kelly states, with emphasis, that he shall not make any turther statement:-

To WILLIAM F. HAVEMBYER, Mayor of the City of New York:—
SIR—On the 15th of September last a letter from you was published in the newspapers of the city of you was published in the newspapers of the city, in which you erdeavor to relieve yourself from the severe and merited censure passed upon you by the Governor for your own improper conduct in office by casting wholesale aspessions upon all who have been in any way concerned as complainant, counsel or witness in the proceedings against yourself or against the convicted Pohice Commissioners (which you seem to regard also as directed against yourself), and assert that the whole matter has spring from my personal enmity to you, and that I am "a very dishonest man," possessing "an audacity born of a low beginning," and having the "vindictive feelings of men of your (my) class," With those who know me no assertion that you can make, and particularly nothing that you may say in the disgraced position you now occupy before the public will affect my character. Yet the charges you make are so grave, particularly when made over the signature of the Mayor of this great city, that I feel imperatively called upon to make a reply for the purpose of vindicating myself before such of the public as may not know me personal injustant earlier date than the slow progress of the law will allow.

Passing by for the present the various personal innuences and aspersions with which your letter is filled, your first grave charge against me is that I "have defrauded this city and county out of large sums of money, and nave been guilty of a crime that is adequately described by the term lelon-

I "have defrauded this city and county out of large sums of money, and have been guilty of a crime that is adequately described by the term felonous." In proof of this fact you assert that in my reports to the Secretary of State of the number of convictions in the county of New York "during your (my) six years of office you (1) reported 13,090 convictions in this county, while the clerk only reported 20,886. In other words, that your (my) eyes, keenly directed moneyward, were able to discern 92,204 convictions that the records of the courts did not mention;" and to substantiate this charge you give the following table:—

Courts of Special Record, Special Record R Totals. 3,933 109,157 113,090 3,839 This you assert to be "a "flagrant crime." You also aliege that it is aggravated by the law being violated in my not returning the hames of those convicted in courts of record, and disregarding that provision as to "the enormous number reported for the Special Sessions, in respect to which you (I) only gave the total number each month."

mouth."

THE REPORTS OF CONVICTIONS.

You then proceed to an additional and even graver charge, that while my reports of convictions to the Secretary of State were taus iraudulently swollen to enormous proportions, yet that "you (1) collected pay for 6,353 more convictions than you (1) reported," substantiating the charge by the following table:—

68,539 2,030 9.3.8 11,393 8,785 9,8.5

4,201 18 038 22,239 You then assert that the amount of money you ; pocketed by this shameless fraud is as follows:— (i) pocketed by this shameless fraud is as lob for the three years of your first term you (i) charged and received pay for reporting con-victions to the secretary of state. The records of the court show that during those years there were only convictions. 11.393 The excess reported by you (met being which must be added the excess of con-Heing an excess of...
Making a total excess of.
Making a total excess of.
Mitch, at firty cents each amounts to.
From which must be deducted the amount taken off by the Board of Supervisors from one of your mouthly brits, as will be hereatter explained.

clerk's report.

These charges I assert to be base and malicious raisencods, and which you and Neison J. Waterbury, your assistant in preparing them, must have known to be such at the time they were written.

risse charges I assert to be oase and maincons raiseacods, and which you and Neison J. Waterbury, your assistant in preparing them, must have known to be such at the time they were written.

WHAT THE TRUTH 18.

The truth in regard to the matter is as follows:—By section 4 of the act of April 26, 1833, the Sheriff of each county was required to report to the Secretary of State the name, occupation, sex, native country, &c., of all persons convicted in any criminal courts of record of ms county. By section 5 similar reports were to be made by the Sheriff of the city and county of New York of convictions in any court of Special Sessions of that city, by the Sheriff of Monroe of convictions in any criminal court in the city of Rocaester, by the Sheriff of Kings of convictions in any criminal court in the city of Brooklyn, by the Sheriff of Eric of convictions in any criminal court of the city of Brooklyn, by the Sheriff of Eric of convictions in any criminal court of the city of Brooklyn, by the Sheriff of Eric of convictions in any criminal court of the city of Brooklyn, by the Sheriff of Eric of convictions in any criminal court of the city of Brooklyn, by the Sheriff of Eric of convictions in any criminal court of the city of Brooklyn, by the Sheriff of Eric of convictions in any criminal court of the city of Brooklyn, by the Sheriff of Eric of convictions in any criminal court of the statistic of maintain and the city of State in a circular for the information of Sheriffs, issued long before my election to that office, was, "to obtain such accurate statistical information concerning convicts and crimes as may guide intelligent legislation. For other countries such information has oeen found eminently usemi in developing the sources of crime and indicating the means of prevention."

It will readily be seen that to make these statistics of any value they must be unnorm, and that it would be absurd to require returns from "an criminal courts" in the cities of Rochester, Brooklya and Budhalo, and ount the great cit

Same in my office. For this reason, as I am informed at Albany, for the convenience of the Secretary of State, the practice sprung up (first introduced, I believe, by Sheriff Willett, my predecessor) of forwarding a tabular statement only of this class of convictions, and retaining the detailed and bulky returns in the Sheriff's office.

That this practice was in accordance with the intention of the Legislature was conclusively snown by the passage of the act of March 29, 1861. by which it was provided:

WHAT THE LAW IS.

"SECTION 5.—The respective Sheriff's off the counties of Albany, Cayuga, Columbia, Dutchess, Erickings, Monroe, New York, Onetica, Onondaga, Oswego, Rensselaer and Schenectady shall, on the first day of every month, transmit to the Secretary of state a statement of the number of persons convicted in Courts of Special Sessions during the preceding month in the respective cities of Albany, Auburn, Brooklyn, Buffaio, Hudson, New York, Oswego, Rochester, Poughkoepsie, Syracuse, Schenectady, Troy and Utica. Such statements shall specify the crimes, the whole number convicted, sex, age, nativity, married or single, degree of education, religious instruction, parents living or dead, whether before convicted or not of any crime, and whether temperate or intemperate. All courts in the city of New York having jurisdiction in cases where criminal convictions are had are hereby, for the purposes or this act, declared Courts of Special Sessions, whether composed of one or more police magnistrates." Thus expressly ratifying and continuing the existing practice, and which are hardy for the secretary of State irom the various courts, and those for which I was paid, upon when you lay section 6 of this act the Clerk of the General Sessions in the city and county of New York was required to return the convictions had "in the Special Sessions of the said city and county."

Ender this law most of the returns were made which are attacked by you as iradiation. The difference between the names returned by the county,

3,933 109,157 113,090 3,982 92 116,285 120,359 From this it appears that, for your own base and vindictive purposes, you have falsely placed the number of convictions returned by me below the real number, as follows:-

Amount stated by you......3,333 Difference between your statement and the truth... 141 This statement of my returns, as certified to by the Secretary of State, conforms in all respects to my charges, which I find by my bills were as iollows:—

. 19,940

Total..... 1861—Returns for quarter ending April 1.

Returns for quarter ending July 1.

Returns for quarter ending October 1.

heturns for quarter ending December 31.

that for this purpose the Police Courts' should be deemed Courts of Special Sessions, yet that in making out my bills I was careful to make a distinction between them. For convenience of reference I give the ioliowing summary of these bills:

Grand total.

1866.—Quarter ending— and O. and T.

March 31. 972

574

569, camber 30. 948

December 31. 850 3,642 17,:47

General and Special Sessions and Oyer and Terminer. 3,319

Grand total. 20,163

You were familiar with these bills. In fact you borrowed them from the Comptroller in August last, and I believe still have them in your possession. You were familiar with the act of 1861, for you expressly refer to it in your letter, and yet you have the mendacious audacity to ignore the existence of any convictions being returned or charged for from Police Courts, and by branding me as having returned 10,422 convictions from the Courts of Record and 109,157 from the Special Sessions, strictly so called, and publishing the convictions in the two latter Courts alone as being but 22,232, assert and claim that you have proved the difference, amounting to 68,614, is fraudulent. The scandalous character of this statemen can be best understood by the following comparison bebest understood by the following comparison be-tween the charges contained in my bils during the years 1835, 1866 and 1867 (when these convic-tions were, for the first time, separated), and the figures you give as obtained from the records:—

Hy Charger of Conditined from the Procords:

Hy Charger of Conditined in
My Bills.

General and
Special Sessions and byer and Ter Police
miner.

Courts, Total.

1865. 3,461 10,810 14,211 098 2,900 3,508
1866. 3,612 18,005 17,44 785 2,946 3,732
1867. 3,819 10,847 2,106 027 2,859 3,516 Totals 10.422 41,262 51,684 2,111 8,735 10,846 Amount charged by me as convictions in the over and terminer, General and Special Sessions dur-ing this period. 10,422 Difference in my favor...... 424

YOU KNEW DELTER THAN THE YOU KNEW BETTER. You knew better than that when you wrote it. You cannot have lived as long as you have in the city of New York without knowing that there are almost ten times as many convictions in police couris as in the Oyer and Terminer and General and Special Sessions combined. Why, the police arrests in the city of New York during the period you refer to were as lonlows:—

 Year ending October 31, 1859
 68,896

 Year ending October 31, 1856
 65,899

 Year ending October 31, 1861
 71,130

 rotal during my first term
 235,825

 Year ending October 31, 1865
 68,873

 Year ending October 31, 1866
 76 (30)

 Year ending October 31, 1867
 88,855

 Total during my second term
 235,035
 .. 440,360

Where were the petty offences that constituted the vast majority of these cases tried, if not in the Police Couris? You would fain have the public believe that the total convictions in the criminal courts of the city of New York during the years 1859, '60, '61, '65, '66 and '67 were but 22,239. In fact, you say there "cannot be many" more, and are only willing to allow me a few nundred dollars for collecting the statistics required by the statfor collecting the statistics required by the stat-nte and returning them to the Secretary of State.

A COMPARISON WITH BROOKLYN.

Yet in the heighboring city of Brooklyn the con-victions, as reported by the different Sheriffs of that county, compared with mine, were as fol-lows:—

Being about twice what you allow for New York, although the latter contains a vastly greater and more turbulent population. Why you should have been guilty of so grossly misstating the facts in regard to this matter is a mystery, particularly as the truth could have been ascertained without very great difficulty. From the fact that you, although professing to be a "ine-long democrat," "an earnest supporter of Shas Wright, Samuel Young and Michael Hodfman," should speak of my having a "low beginning" and of "my class," that you cannot distinguish between an attempt to punish Police Commissioners who have violated the election law and made a personal affack upon yoursel, and from your general extraordinary conduct while in office, I should judge that your mind must be somewnat affected. Yet your letter shows such ability in collecting and distorting facts, and asserting lasenoods that I am unable to accribe to you even this poor excuse, and can only account for It to a combination of malphilly self-conceil and dad advise. and distorting facts, and asserting faisenoods that I am unable to accrive to you even this poor excuse, and can only account for it to a combination of malignity, self-concret and dad advice. You next attack me because, in my returns of convictions from the police courts (which are included under the head of "returns from the special Sessions," as above stated) I placed the proportion of females, as regards mans, and of frish, in respect to natives of other countries much higher than I did in my returns of convictions from Courts of Record, and give as a reason that I "manuactured the statistics," the assertion being made with the particular view to injure me in the estimation of the race from which I sprang. If the facts were as you pretend that there were no such names and no such convictions, is it not evident that I would have been particular to make the franculent returns conform closely to the genuine, and is not the varance between them in itself a proof of their being correct? But, without arguing the matter, it is enough to say that in this particular, as in every other assertion contained in your letter, you maliciously assert a winth and deliberate unition. A called magistrate of a city like New York, even authough he considers it beneath his dignity to read the newspapers, should surely know that females are seldom guilly of the higher grades of crimes, such as are tried in Courts of Record, but that in large cities the number of minor offenses coming under the definition of minor offense convented of the various description of minor offense continued and agrancy," and which are disposed of i

THE IRISH BIRTH QUESTION.

THE same is the case as to the crimes committed by those of Irish birth. Impulsive and passionate, they are apt to be guilty of disorderly conduct and to be brought before a police court; but the crimes that involve dishonesty or moral tural-tude, and which are heard before the higher courts, are much more tare among them. Thus, in the report of the Board of Police for the year ending detober 31, 1858, when I was not sheriff, the total arrests were given as—males, 42,891; Iemales, 18,564. Total, 61,455.

Males. Females

Vagrancy. 1.244 1.682
And out of 75,373 persons arrested in that year in New York, and the preceding nine months in Brooklyn, 44,587 are reported as born in Ireland. As a nurther instance to the same effect, by the report of the Commissioners of Charities, it appears that the total commitments to the institutions under their charge during 1867, were 47,133, of which 17,850 were males and 12,600 females, and 21,679 were of Irish birth. The following table, then the underlying the parts of the secretary of

County of Record.

Courts of Record.

Courts of Record.

Counts of Record.

Counts of Record.

Sessions in Brooking only.

Rales. Fm's. frish. Total.

Males. Fm's. frish. Total.

Males. Fm's. Frish. Total.

169...45 9 108 357 9,588 3,523 2,657 13,036 185.

7.2 20 27 92 15,971 8,718 6,075 24,834 1865.

180 16 16 10.76 5,849 4,53 16,452 isos. iso is si los 10.75 5,549 4.50 16,452 In conclusion I would state that while I am as conscious as any one of the obligation which I owe to those of my race, that they would be the last to ask or expect me to laisify the records to conceal a lact. Your next attack is for overcharge in conveying prisoners. As in your assertions in relation to the returns to the Secretary of State, you in this matter practically omit the persons committed from the police courts, although you pretend to give them. During my first term you admit that I charged for 448 less than I was entitled to. In my second term, however, you alege

Number fraudulently charged for 9,449

Number fraudilently charged for ... 9,449

For the police courts you allow the beggarly number of 1,000, and calmiy assert "that that is at least double the actual cenciency."

THE ROUSE OF REFUGE.

The figures you give in regard to the House of Reluge are of course all wrong; I have in my possession an official certificate of the prisoners received at the House of Refuge, of which the following is an abstract:—

1865. 1866. 1867. Total.

Number received. ... 4.0 473 333 1275

The aggregate you put in your table for this

My charge was based upon the number of those who after conviction were placed by law in my custody as Sherid, and for none other. They were carried by my deputy and I was responsible for them and entitled to charge for their conveyance.

The inrees number of these prisoners were convicted by the ponce courts, and your fixing the number at those prisoners were convicted by the ponce courts, and your fixing the number at 1,000 would be preposterous it it was not stated maintonsis. One word as to my lees for this service. You admit that long before my accession to office compensation or the sheriff for carrying prisoners had been fixed at seven y-five cents each, the amount which I received during my first term, but that during my second term, "without the Sightest warrant from any source," I had the admently to enarge double the previous large rate, and received \$1.50 for each prisoner—a rate which two years and turee mouths afterward I increased to \$1.50. As you state you "are no law-yer," you seem to consider yourself free to make any assertions in regard to

the law which may strike your fancy. It is certainly singular that you should be the first to discover that the Board of Supervisors, in auditing Sheriff's olds, as they have done for many years without any question, were exercising a power not authorized by aw: but then you are celebrated for doing singular things. In fact, it would appear from the blanders you make in your quotations from the statutes and allusions to decisions not to be found in the books, that you have preparel yoursels for your attack on me by the perusal of some such work as "Every Man His Own Lawyer." Probably it you had conferred with a lawyer before taking such a step, he would have suggested to you the proverb that "he who is his own lawyer has a fool for als client."

The following is a bool for als client."

The following is a brief statement of the law in regard to the less of the sheriff:—

By the Revised Statutes (I Edmonds, p. 357) it is provided that the following small be county charges:—"2. The compensations of sheriffs for the commitment and discharge of prisoners in criminal processes, "** * * * reasonable compensation to constants and other officers

charges:—'2. The compensations of sheriffs for the commitment and discharge of prisoners in criminal processes, * * * * 5. * * * reasonable compensation to constables and other officers for executing process on persons charged with criminal offences, for services and expenses in conveying prisoners to jail * * * and for other services in relation to criminal proceedings for which no specific compensation is prescribed by law. 6. The expenses incurred for the support of persons charged or convicted of crime. * * * 1. Moneys necessarily expended by any county officer in executing the duties of his office in cases in which no specific compensation is provided by law.' Such accounts to be presented to the Board of supervisors and audited by them. Also (2 Edmonds) R. S., 665)—For giving notice of any general or special election, 31 for each town or ward in the county, and the expense of publishing; for any services which have be rendered by a constable, the same less as are allowed by law for such services to a constable; for summoning constables to stitute the Supreme Court or any other court, afty cents for each constable. Also (2 id., 778)—For every person committed to prison, tharty-seven and a hall cents, and a like sum for each person discharged; for summoning a Grand Jury, \$10; for conveying prisoners to House of

thirty-seven and a half cents, and a like sum for each person discharged; for summoning a Grand Jury, \$10; for conveying prisoners to House of Retuze, such sum as shall be allowed by the Supervisors. (Laws of 159, chap. 234, p. 552.)

"The Board of Supervisors may allow such further compensation for the service of process, &c., as they may deem reasonable, for other services in criminal cases, for which no compensation is specially prescribed by law, such sum as the Board of Supervisors of the county may allow."

The SUMMONING OF JUROUS.

The Revised Statunes, part 3, chapter 7, title 4, article 2, section 21 (9, 688, 5th Edmonds), provide for the summoning of jurors by the officers now required by law to serve them. Sections 96 and 109 (p. 716) make this the duty of the Sheriff no only in criminal, but in civil cases, specifying the Circuit Court, Superior Court, Court of Common Pleas and General Sessions, Section 110 also makes this the Sheriff's duty. No statutory rate seems to be fixed for this service. The sum of fifty cents to be collected of the attorney (3 R. S. 295; 5 Edmonds), cannot be the only compensation contemplated, as the Sheriff is also to summon jurors for the Oyer and Terminer and General Sessions, and if he is enblied to charge for one he is for the other. His compensation, therefore, is to be fixed, and the dared have done for the Board of Supervisors, as they have done for the past unity years, under also to summon jurors for the oyer and treminer and General Sessions, and it he is entitled to charge for one he is for the other. His compensation, therefore, is to be fixed, andited and allowed by the Board of Supervisors, as they have done for the past thirty years, under the powers given them. (I. R. S., 848, 858, 3 R. S., p. 1,646, sec. 2.) In the case of the Supervisors of Onondaga vs. Briggs (2 Denio., 41.), where a District Autorney was charged with procuring from the Supervisors less not authorized by law, Chief Justice Brouson held that more certain services the Legislature has given to officers a specified see, and they are forbiaden to take more. But when no see has been prescribed by law the Legislature has not undertaken to say how much or how little shall be charged for any service which may be rentered." In the case of the People ex rel. Hitton, against the Supervisors of Albany County (12 Wendell's Rep., p. 251). It was decided that when any daty was imposed upon a county officer by the Legislature he was entitled to a reasonable compensation, to be audited by the Board of Supervisors. Chief Justice Savage said:—"The performance of the duty may be, and generally must be, attended with expense, and there is no reason why the officer should lose both his time and his money without just compensation, it is very probable, too, that the reason why no fixed sum was given was that the Legislature knew the principle upon which the courts had acted, and thought that justice would be better one by leaving the amount of the compensation to the Supervisors than by giving a gross sum, which in some cases might be liberal and in others totally inadequate," Islowing the rule liaid down in Bright vs. Supervisors of Chenango (County, (18 Johnson's Rep., 214.) In the very case of People ex rel. Hall vs. Supervisors of New York (32 N. Y., 475), where the county was held liable for my fees for serving the papers in Wateroury's excise cases, the Court of Appeals held that each county was chargeable. In the absence

THE BOARD OF SUPERVISORS. When my blils were sent to the Board of Supervisors either 1 or my under snerilf invariably went before them and explained the different ably went before them and explained the different charges contained in them, so that in additing my claims they knew exactly what they were founded upon. As was decided by Judge Bronson in Sugervisors of Onondaga County vs. Briggs, above mentioned, they were appointed for the purpose of deciding whicher the charges came within the statute, and their determination is a conclusive adjudication upon the point. I indignantly deny the insimuation that I was in colusion with the Supervisors, or any of them, at any time, or that I used any impreper influences to procure payment of my bills, and dely you or any one ease to produce the significant proof of it. The deduction of \$2,550 from my bill for September 30, 1860, was made because the records of the convictions from the lower Courts had not ocen filed with the Clerk of the General sessions, a matter over which I had no control. The position which you take in regard to the construction of section 9 of title 8, chapter 2. Part iv. of the Revised Statutes (2 Edmonds, General Sessions, a matter over which I had no control. The position which you take in regard to the construction of section 9 of title 8, chapter 2, Part 19. Of the Revised Statutes (2 Edmonds, 717 et seed.), quoted by you at length, is erroneous. The "preceing sections" therein mentioned have no reference to Sherid, consequently that section has no effect. Your position that there is no authority for the payment by the Board of Supervisors of the Sherid's othis of this county for these services is ridiculous. The practice, as you yoursel admit, has lasted in most instances for over thirty years, and existed throughout the State. It is not only sanctioned by long usage, but is the fair and reasonable construction of the law, and it will take something more than your mere assertion to establish the contrary. The reason why an increased compensation was allowed was obvious. The lee of seventy-five cents was fixed thirty-lour years previously. In the meantime values had changed greatly. Thirty-lour years ago the anapor's salary was about \$2,000; now I believe your various salaries amount to some \$12,000. Labor that in 1831 cost but \$1 in 1865 commanded five times that sum. For the conveyance of some of these prisoners I paid to my deputy as high as \$1 each; and the Supervisors accordingly raised the compensation, as they had a legal right to do. So har from being exorbitant, the rate paid by the State for all prisoners conveyed to Blackwen's Island upon convictions exceeding a year was \$2 60 for each prisoner. In regard to my charges for commitments and discharge of prisoners, upon which you lay such stress, the lacts are as follows:—

The Comptroller Trachile the charge in my bill, which was paid by comptroller Haws. Upon the presentation of my hext bill the Comptroller flows. Upon my first election as Sheriff I was advised by my counsel that I was entitled to make this charge, as had been done by my predecessor. Under this advice I inserted the charge in my bill, which was paid by comptroller Haws. Upon the pre

at least \$100,000 more from the county than I actually did.

THE PETT LARCENY CHARGE.

You are pleased to assert that I have been guilty of petit larceny in charging flity cents for summoning constables to attend the sessions of the Oyer and Terminer. It is hardly necessary to state that you are wrong in regard to every detail in this matter also. The tourt of Oyer and Terminer is not a continuous court, but only meets at intervals. The law provides that the Sheriif snall summon constances to attend it, and fixes their compensation at \$1.50 m day and his at didy cents for each man be summons. The Court speciales the number required and the sheriif has to furnish them. As there were no constables in New York while I was Sheriif i had to had men; and to insure some responsibility Sheriff has to furnish them. As there were no constables in New York while I was Sheriff I had to find men; and to made some responsibility upon their part, as well as to give them the necessary power, I made them special deputies. This was no innovation upon my part, but had been for years the practice of my predecessors, Orser and Whitett, and warranted by law. No one but yourself would attempt to stigmatize it as a frand, and you know you are not telling the tatth when you say so. You make as a lutther charge against me that I have, without nuthority of law or usage, overcharged years of the tatth when you say so. You make as a lutther charge against me that I have, without nuthority of law or usage, overcharged years of sering into one membranes. Without coing into particulars into the matter I assert that my bins were correct in all respects and warranted by law, and would refer you to 3 it. S., sec. 3, 926, chap. 450, Laws 1830, p. 597; Crocker on Shering, Llor; People ex rel. Hitton vs. Supervisors of Aloany, 12 Wend., 257.

Your next attack upon me is in relation to my charges for summoning petit jurors. Here also, atthough to lawyer, you have no hesitation in asserting that to provision of law whatever exists for compensation in such cases, although you admit that ever since 1843 the power has been regularly exercised by the Board of supervisors, who have allowed \$10 for each panel (then consisting of thirty-six and since increased to hity) and twenty-five cents each lor extra jurors. As you make no charge against me for my fees for summoning petit jurors described.

Marine Court because it was done by my predecessor, although you assert his action to have been "a clear robbery of the County Treasury," I win pass by that with the single remark that my conduct in this particular was based upon a written opinion by eminent counsel, still in my possession, and dated April 29, 1856. You admit, however, that although my predecessor charged fifty cents for this service I charged but thirty and in 1867 theiry-five cents. For your cantion in this respect you more than make up when you come to speak of the phrors summoned for the Oyer and Terminer, and particularly of "extra parots." As to the latter, you assert "that of the 63,661 extra purors for which I was paid during my two forms of office "not one of them had any existence, and the charge for them was merely a barefaced raud." This I indignantly denounce as a barefaced laisehood. Every furfor for whom I charged was regularly drawn, and I stand prepared to produce his fame. Under the wholesale system of excuses prevaient in the courts prior to 1870 the first panel of juors was soon exhausted in civil as wen as in criminal courts. An "extra panel" would then be ordered. courts prior to 1870 the first panel of juors was soon exhausted in civil as weil as hi criminal courts. An "extra panel" would then be ordered, returnable sometimes the very next day. These had to be summoned often in great haste, the entire force of my office being frequently at work until late at night. Yet you confine your statements as to the jurors for which I was entitled to charge for the General Sessions of Oyer and Terminer and Marine Court, and, with your usual lacility for olundering, only all reference to the various civil courts, as if they never had any jurors. I have a certificate from the County Cierk that the books in his office are defective as to petit jurors summoned in 1880, 1860 and 1861. The panels in the office of the Commissioner of Jurors for the entire jury year, which runs from October to October, for some courts are also defective; consequently the figures you have obtained from these offices are utterly worthless as evidence as to the number of jurors drawn by me. I have in my books copies of all panels drawn by me, with the name and residence of each juror and how he was served. The following is a table of the number of panels, as well as petit jurors summoned and charged for by me in 1865, 1866 and 1867, and also of those appearing by the records of the County Cierk, as certified by him:—

Dearway and Cilarged by ME

Panels of grand jurors.

Total panels.

Total panels.

Total panels.

Total panels

Number of petit jurors. 63

Carrierad To BY COUNTY CLERE.

Panels of grand jurors

Panels of petit jurors

term was \$319,900; for my second term about \$583,500.

THE SHERIFF'S RESPONSIBILITIES.

To sum up, I estimate the responsibilities I had to assume as Sheriff, as follows:

- 274,000 to \$1,000,000

On limit prisoners. \$15,000 to \$1,000,000 On bonds of indemnity 1,000,000 to 2,000,00 Third party claims on replevin. 300,000 to 600,00

-for which responsibility I received no extra com-pensation. The expenses of my office, over all anowances from the county, averaged about \$24,000 a year. Those of the present Sheriff are

Marine Court because it was done by my predecesset forth in his affidavit, hereto annexed, marked an athough you assert his action to have been "a B. The receipts from poundage (two and one-half set forth in his amdavit, hereto annexed, marked B. The receipts from poundage (two and one-half per cent for sums less than \$250 and one and one-quareer per cent on sums exceeding that amount, and upon all other process after deducting the amount paid deputies, did not exceed \$10,000 a year during both my terms. For calendar fees and all process paid for by attorneys I received \$12,000 a year. From real eatite business not over \$2,000 on the average. For conveying State convicts I received nothing the whole amount paid by the State being received by the deputies performing the service. This gives the Sheriff's total income at \$4,000, and shows that it is were not for the county bills he could hardly pay the running expenses of his office, while having to bear the immense responsibility thrown upon him by law.

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was compened to answer them in detail.

THE PERSONAL ASSAULTS.

I cannot close, however, without alluding to the personal assaults you have made upon me, to which I have not previously referred. If, when you say that I was "born of a low beginning," you mean that my lather was a poor man, you are right for about the only time in your lengthy episte. I have never denied it, and am not ashamed of it. If you desire to insinuate that my parents, although poor, were not respectable and honorable, you assert what is not true. In this connection I might ask whether it is not the case that you yourself were not born in affluence, but, in connection with your lather followed in your youth the trade of a sugar baker, as I did that of a mason and grate setter, the only difference between us, as I understand

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Total panels. ners," was omitted, or you would have studiously avoided the bad company of these men and thereoy saved a little of your reputation. You state that, "with your strong conviction that the Police Compensors were the victims of the most iniquitous persecution for selish and political objects, you could not have respected yourself it you had not stood by them." It is gratifying to know that you do respect yourself for your conduct in this particular, because you are probably the only person in this city who does. The Governor of the State, who, singular to say, is the only individual in any way consected with the proceedings against the Police Commissioners and yourself of whom you have not something deroustory to say, does not entertain the same respect for you that you have for yourself. In deciding your case ne expresses the almost universal public sentiment when he speaks of this conduct, upon which you now pinme yourself, as "one of those examples or eccentricity with which you have more than once surprised your lellow citizens," and remarks that your desire 'to sustain your associate (in which he evidently refers to instruct of character, Mr. Oliver is integrited to your assertion as of the covered when your lead you into devices utterly antagonistic to your candor and directness of purpose." I think, however, not again is correct when he remarks "this among those pressing your removal most urgently were may by whom your election was most strongly advocated, and whom until a recent day were most arient supporters of your administration," He sums up, as a conclusion, that by your conduct in these particulars, which you seem to consider as exhibiting the best qualities of Solomon and George Washington, "the good bame of the city has been tarbished and the dignity of the office of Chief Magistrate compromised." So har from acquitting you, the Governor expressly states that your offences have been such as to warrant your removal, and, as it were, simply suspended sentence upon you in consider as exhibiting the be

in the regular way and that was all. Can you say the same?

In regard to Watson you are as much in error in what you say about my connection with him as you are in everything else, which is saying a great deal. You assert that he was brought over from Calhornia as a prisoner and was in my custody, and that as soon as he was discharged I took him into my confidence as a clerk. This is utterly mise. At the time Watson came from California Orser was Sheriff, and he took him into his employment as collector and gave him his confidence up to the time of his (Greer's) death. After Orser went out of office Watson was retained in the same position by Willett, his successor,

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